

## **EXHIBIT 1**

### **AFFIDAVIT OF JUGRAJ KAUR WIFE**

UNITED STATES DISTRICT COURT  
EASTERN DISTRICT OF NEW YORK

Case No. 20-CV-5855

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ESTEBAN MARQUEZ,

Plaintiff,

Vs.

**AFFIDAVIT OF JUGRAJ KAUR**

INDIAN TAJM INC.  
d/b/a SANTOOR INDIAN RESTAURANT  
BALVINDER SINGH, HARMINDER SINGH,  
JOGINDER SINGH, KIRPAL SINGH, and  
MEHANGA SINGH.

Defendants.  
-----X

JUGRAJ KAUR sworn or affirmed deposes and says:

1. I Jugraj Kaur am the wife of Kirpall Singh the above captioned Defendant. My affidavit is also based on my personal knowledge.
2. I am the one writing this affidavit because my husband had a massive stroke back in February 2019 and is now disabled and unable to appear in this action. He is diagnosed with cerebral infarction and vascular dementia and has multiple health problems.
3. We recently had my husband examined by his neurological physician. The reason we had this exam completed was to demonstrate clearly and unequivocally that my husband Kirpal Singh the defendant in this case is incapable of defending this action due to brain impairment. He is not able to process the many questions in a deposition and his memory is no longer intact. His degree of impairment is also stated in the doctor's affirmation of Jacob Matthew, MD. **Exhibit A (The Doctor Affirmation of the Medical Exam of Kirpall Singh.)**
4. I have reviewed the **affidavit of service in this case Exhibit B.** It says that my husband was served on May 18, 2021. This is impossible as my husband is in no condition to accept service of process. The address where he is alleged to have been served was 257-05 Union Turnpike Glen Oaks, New York which is the restaurant he formerly held an interest in, and

his share was sold on September 8, 2020.

5. I have a joint account with my husband. This account has been locked down, because of this judgment on default, and we are unable to get the funds from the account. This is how the lawsuit first came to my attention.
6. Money going into the account included the following: I began to collect my social security in January 2015, my pension in September 2014. My husband began collecting social security in March 2012. My monthly pension \$5300 and my social security is \$2113 per month. And my husband's social security is \$1271 per month. This money should be protected from any debt collection. This judgment should be vacated and the matter restored to the calendar allowing my attorney to file an answer on behalf of me and my husband and or file a motion to dismiss.
7. In this regard I am willing to waive any potential conflict of interest between me and my husband. But although I waive the conflict, my husband is not capable of waiving any potential conflict and requires the appointment of a Guardian Ad Litem. In this regard there is another lawyer other than Manuel Moses, Esq. who is known by the family, and is willing to serve as a G.A.L. and review the work of Manuel Moses, Esq. and consult with him independently for the benefit of my husband.
8. Esteban Marquez waited years to file this action. And this delay has seriously prejudiced against my husband defending this case. In his current disabled condition this is particularly true. He would be unable to testify in his defense. I want the case entirely dismissed.

**In Conclusion:** I request that a G.A.L. be appointed for my husband. And once the G.A.L. is appointed, my lawyer be permitted to ask the court to vacate the judgment, lift the restraint on our bank account and or have the case be dismissed or if not dismissed the matter be restored to the calendar, allowing my lawyer to interpose an answer to the complaint on behalf of me and my husband with the oversight of the G.A.L. and or move for it to be dismissed and for any other relief this Court may deem to be just, fair, and proper.

I affirm this 5 day of May 2025, under the penalties of perjury under the laws of New York, which may include a fine or imprisonment, that the foregoing is true, and I understand that this document may be filed in an action or proceeding in a court of law.

  
JUGRAJ KAUR

## **EXHIBIT B**

### **AFFIDAVIT OF SERVICE**

143661  
MOSER- STE

Index No. 20-CV-5855  
File No.

DISTRICT COURT,COUNTY OF EASTERN NY

ESTEBAN MARQUEZ

Plaintiff(s)

against

INDIAN TAJ, INC. D/B/A SANTOOR INDIAN RESTAURANT, BALVINDER SINGH, HARMINDER SINGH, JOGINDER SINGH, KIRPAL SINGH AND MEHANGA SINGH

Defendant(s)

State of New York, County of Nassau

SS

HUSAM AL-ATRASH being duly sworn, deposes and says: that deponent is not a party to this action, is over 18 years of age and resides at

BROOKLYN

NY

11228

That on 5/18/2021 at 12:00 n at PLACE OF BUS. at

257-05 UNION TPKE

GLEN OAKS

NY

11004

deponent served the within

SUMMONS

FIRST AMENDED COMPLAINT

on KIRPAL SINGH  
(Defendant/Respondent) herein known as Recipient.

Said service was effected in the following manner;

**SUITABLE AGE PERSON**

by delivering a true copy of each to MS. JANE (REFUSED FULL NAME) CO-WORKER  
a person of suitable age and discretion. Said premises is defendant's actual place of business-dwelling  
house usual place of abode within the state

**APPROXIMATE DESCRIPTION**

SEX	FEMALE	COLOR	BROWN	HAIR	BLACK	HEIGHT	5'3'	WEIGHT	140
AGE	30	OTHER							

**MAILING**

On 5/21/2021 deponent mailed a copy of same to respondent at  
257-05 UNION TPKE

GLEN OAKS

NY

11004

by regular 1st class mail in an envelope bearing the legend "personal and confidential" and not  
indicating on the outside thereof, by return address or otherwise, that the communication is from an attorney or  
action against the person.

**MILITARY CONFIRMATION**

I asked the person spoken to

MS. JANE (REFUSED FULL NAME)

whether recipient is in active military service of the United States in any capacity whatever.  
Person answered in the negative.

Sworn to before me on

*Shubert L. B.*

SHAUL HORAN  
Notary Public, State of New York  
No. 01HO6108246  
Qualified in Nassau County  
Commission Expires 04/12/2020

Brill Uri  
Notary Public, State of New York  
No. 01BR6394019  
Qualified in Nassau County  
Commission Expires 07/01/2023

HUSAM AL-ATRASH  
1279639